



STIPULATED AND AGREED:

s/Brian P. Muething

Gregory M. Utter  
gmutter@kmklaw.com  
Paul V. Muething  
pmuething@kmklaw.com  
Brian P. Muething  
(pro hac vice)  
bmuething@kmklaw.com  
W. Jeffrey Sefton  
jsefton@kmklaw.com  
KEATING MUETHING & KLEKAMP PLL  
One East Fourth Street, Ste. 1400  
Cincinnati, OH 45202  
Phone: 513-579-6400  
Fax: 513-579-6457

J. Pierre Tismo, Esq.  
DYER, GAROFALO, MANN & SCHULTZ  
131 N. Ludlow St., Suite 1400  
Dayton, OH 45402  
Phone: (937) 223-8888  
Toll Free: (800) 223-8897  
Fax: (937) 824-8630

*Attorneys for Plaintiffs*

Glen DeValerio  
Kristin J. Moody  
Steven J. Buttacavoli  
BERMAN DEVALERIO  
One Liberty Square  
Boston, MA 02109  
Phone: (617) 542-8300  
Fax: (617) 542-1194

s/Thomas W. Taylor

Thomas W. Taylor  
S.D. Bar No. 3906  
Texas State Bar No. 19723875  
ANDREWS KURTH LLP  
600 Travis, Suite 4200  
Houston, Texas 77002  
Tel: (713) 220-4200  
Fax: (713) 220-4285  
Email: ttaylor@andrewskurth.com

Daryl A. Libow (pro hac vice)  
Amanda F. Davidoff  
SULLIVAN & CROMWELL LLP  
1701 Pennsylvania Avenue, N.W.  
Washington, D.C. 20006  
Tel: (202) 956-7500  
Fax: (202) 956-6330  
Email: libowd@sullcrom.com  
davidoffa@sullcrom.com

Richard C. Pepperman, II (pro hac vice)  
Marc De Leeuw (pro hac vice)  
SULLIVAN & CROMWELL LLP  
125 Broad Street  
New York, New York 10004  
Tel: (212) 558-4000  
Fax: (212) 291-9113  
Email: peppermanr@sullcrom.com  
deleeuwm@sullcrom.com

*Attorneys for Defendants*

Jeffrey C. Block  
Jason M. Leviton  
Whitney E. Street  
Mark A. Delaney  
BLOCK & LEVITON LLP  
155 Federal Street, Suite 1303  
Boston, MA 02110  
Phone: (617) 398-5600  
Fax: (617) 507-6020

*Of counsel*

IT IS SO ORDERED.

Signed: June \_\_, 2012

---

HON. KEITH P. ELLISON  
UNITED STATES DISTRICT JUDGE